American Airlines, Ing Mahoo! Inc. et al

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### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS FORT WORTH DIVISION

2009 JUL 21 AM II: 08

CLERK OF COURT

AMERICAN AIRLINES, INC.,		<b>§</b>	
	Plaintiff,	§ §	Application for which the second of the seco
V.		<b>&amp;</b> <b>&amp;</b>	Civil Action No. 4-08CV-626-A
YAHOO! INC., and OVERTURE SERVICES, INC. d/b/a YAHOO! SEARCH MARKETING, Defendants.		9 8 8 9	
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# **DEFENDANTS' UNOPPOSED MOTION FOR LEAVE** TO FILE CORRECTED APPENDIX

Defendants Yahoo!, Inc. and Overture Services, Inc. (collectively "Yahoo!") move for leave to file a Corrected Appendix in Support of Defendants' Opposition to Plaintiff American Airlines, Inc.'s Motion to Compel Discovery, and would respectfully show the Court as follows:

On July 13, 2009, Plaintiff filed a Motion to Compel Discovery and Brief in Support and Request for Expedited Consideration. On July 14, 2009, the Court entered an order requiring Defendants to file an expedited response no later than 4:00 p.m. on July 17, 2009. On July 20, 2009, Defendants filed their Opposition to Plaintiff American Airlines, Inc.'s Motion to Compel Discovery at 4:00 pm. On July 20, 2009, the Court entered an order striking and unfiling the Appendix to Yahoo!'s response because it was not spiral bound with pertinent portions highlighted as required by the Court's Order of February 10, 2009.

Yahoo! now respectfully requests leave to file a Corrected Appendix in Support of Defendants' Opposition to Plaintiff American Airlines, Inc.'s Motion to Compel, which has been spiral bound with pertinent portions highlighted to comply with the Court's Order.

## Prayer

For the foregoing reasons, Yahoo! respectfully requests that the Court enter an order granting Yahoo! leave to file the attached Corrected Appendix.

Dated: July 21, 2009

Respectfully submitted,

David F. Chappell

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Attorneys for Defendants YAHOO! INC. and OVERTURE SERVICES, INC. d/b/a YAHOO! SEARCH MARKETING

# **CERTIFICATE OF CONFERENCE**

I certify that on July 20, 2009, I conferred with Lars L. Berg, counsel for American Airlines, on the foregoing motion, and Mr. Berg advised that his client does not oppose the relief sought in this motion.

Scott A. Fredricks

### **CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing was served on Defendants' counsel, as indicated below, on the 21st day of July, 2009:

Dee J. Kelly

Via Hand Delivery

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